

LIED IN ERLANGER SUIT, SAYS ACTRESS

Edith St. Clair, Who Recovered
\$25,000 from Theatrical Man,
Makes Affidavits Which
W. T. Jerome Files.

MAX D. STEUER IS ACCUSED

Woman Charges Lawyer "Out-
lined" Her Testimony on
Stand, Knowing It To
Be Untrue—New
Trial Asked.

Papers covering a motion for a new trial, based on an alleged confession of perjury in the case of Edith St. Clair, an actress, who won a verdict of \$25,000 for breach of contract against the theatrical firm of Klaw & Erlanger when the case was tried last December, were filed yesterday in the Supreme Court. The motion will be argued June 25 by William Travers Jerome, counsel for Mr. Erlanger.

Four of the affidavits filed with the motion papers were made by Miss St. Clair. She repudiated, to a large extent, her testimony at the trial which convinced the jury that she actually had a contract with the Klaw & Erlanger firm. She makes the further charge in the affidavits that her former counsel, Max D. Steuer, "outlined" parts of her testimony for her, although he knew the facts to which he told her to testify were not true.

Mr. Steuer issued a statement last night in which he denied that he had "outlined" any of Miss St. Clair's testimony or "coached" her as a witness. He said she had told the same story of her case to William Grossman and Louis J. Vorhaus, of No. 115 Broadway, long before she came to him.

Brings in Other Lawyers.
He said Mr. Vorhaus previously had made a statement of the facts as she told them to him and it was in "absolute conformity with the testimony she gave at the trial." Mr. Vorhaus could not be reached at his home last night.

Miss St. Clair's charges against her former lawyer, involving her relations and transactions with him in connection with the trial of her case, it is understood, already have been a subject of inquiry by the grand jury and the grievance committee of the Bar Association. Miss St. Clair appeared before the grand jury as a witness May 26, it was said last night, and appeared before the Bar Association May 28.

The St. Clair affidavits filed with the motion papers were made by the actress in Mr. Jerome's office early in May. "In one affidavit the plaintiff explains at length how she was prompted to come to Mr. Jerome, and her motive for doing so," she said.

"Since the trial of this action I have thought a great deal about what I testified to upon the trial and what occurred previously thereto, and in pursuing the course that I have in coming to Mr. Jerome, and in making the affidavits above referred to at his request and communicating the facts that I have told him of, I have been actuated by the following motive:

"I felt that a serious wrong had been done Mr. Erlanger, and I desired to redress that wrong so far as it lay in my power to do so. This was the motive that led me to do as I have done in coming to Mr. Jerome, and there has been no other motive leading me to do this."

Tried to Palliate Defendant.

In the same affidavit Miss St. Clair said she sought an interview with Mr. Erlanger some time after she had won her case, "to arrange this whole matter," and that Erlanger refused to see her, but told her messenger if she had anything to say about the matter she could see his attorney, Mr. Jerome.

No one solicited her to see Mr. Jerome, and no promises or inducements were offered.

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PILING ON THE OBSERVATION TRAIN AT NEW LONDON JUST BEFORE BIG RACE, AS SEEN BY A TRIBUNE ARTIST.



Upper picture—Vincent Astor and a friend seated in motor launch.

MISSIONARY SCALES MCKINLEY'S SUMMIT

Archdeacon Hudson Stuck and
Party Hewed Three-Mile
Passage to Top of
North America.

HEIGHT OF 20,500 FEET

Earthquake Had Shattered the
Upper Ridges, Making Ascent
a Herculean Task—Four
Explorers on Peak
June 7.

Fairbanks, Alaska, June 20.—The ascent of the highest peak of Mount McKinley was accomplished for the first time on June 7, when the party led by Archdeacon Hudson Stuck, Episcopal missionary for Alaska, accompanied by Robert G. Tatum, Harry P. Karstens and Walter Harper, reached the top of the south peak of the mountain, the highest on the continent.

News of the success of the expedition was received to-day by a messenger sent by Mr. Stuck, who is resting at the base camp. The missionary expects to return to Fairbanks in August and will go to New York in October as delegate for Alaska to the general convention of the Episcopal Church.

Mr. Stuck and his assistants erected a six-foot cross on the summit of the great mountain. Observations made with the mercurial barometer indicate the height of the mountain is 20,500 feet. Mr. Stuck said this could be checked by comparing the reading of his barometer with the records taken at Fort Gibbon on the same date. The expedition, which left Fairbanks March 13, expected to reach the summit of Mount McKinley early in May, but was delayed three weeks cutting a passage three miles long through ice thrown across the ridge by an earthquake last summer.

Peaks Remain Unmarred.

The party found much evidence of seismic disturbances on the upper ridges. The upper basin shows evidence of a violent upheaval and the ridges are badly shattered, but the summits are not marred.

Archdeacon Stuck confirmed the ascent of the north peak by Thomas Lloyd and three companions in 1910, being able with field glasses to see the flagstaff erected by the Lloyd party. Lloyd attacked the mountain on the northeast face, crossing Muldrow glacier and working along the northeast ridge to the summit.

Last year Professor Herschel C. Parker of Brooklyn, and Belmont Browne, of Tacoma, who had previously failed in two attempts to climb the mountain along the route described by Dr. Frederick A. Cook as the one he followed when he made his alleged ascent several years ago, went over the route followed by the Lloyd expedition and were within two hundred feet of the summit when they were driven back by a furious blizzard.

Seattle, Wash., June 20.—Archdeacon Hudson Stuck in a message he sent from Fairbanks, Alaska, to-day to a member of the staff of "The Seattle Times" who is his personal friend, gave various details of his ascent of the highest peak of Mount McKinley. The message follows:

"Expedition successful. Accomplished first complete ascent of Mount McKinley on June 7. H. P. Karstens, R. G. Tatum, Walter Harper and I reached top of south (the highest of all peaks) on a clear day, when it was possible to read all the angles of the mountain and, other points and make

HER BABY CHANGED COLOR

Painter's Carelessness Gives
Mother Scare of Her Life.

Mrs. Fay Heller, of No. 1653 Prospect Place, Brownsville, went into a grocery at No. 417 Ralph avenue yesterday afternoon leaving her twenty-months-old baby, Harriet, in a carriage on the sidewalk. When she came out of the store a black baby was in its place.

"Kidnappers," shrieked the woman. "This is a negro baby! My baby is gone!"

But the black baby was her own Harriet. A workman on the roof of the building had simply upset a pot of paint. The transformation was the result. Mrs. Heller discovered her mistake, and overjoyed, took her baby home and gave her a fine scrubbing. The painter was not arrested.

MAYO WARNS OF DELAY

Cancer Always Curable if Diag-
nosed Early, He Surmises.

[By Telegram to The Tribune.]
Rochester, Minn., June 20.—"Eighteen years of investigation of cancer of the stomach have made us assured that the disease is curable," said Dr. William J. Mayo to-day, in amplifying his previous statement that cancer was curable, before the American Medical Association at Minneapolis Wednesday.

"Nearly one-third of all cancers occur in the stomach," Dr. Mayo added, "so our observations prove that cancer is curable."

"The main point in the treatment of cancer is early diagnosis. Perhaps all the cases we have operated on could have been cured if the disease had been diagnosed in time. Between January 1, 1894, and December 31 last we operated on 1,000 cases. Of these 378 resulted in cures and the lives of 249 were prolonged."

TWO-DAY MEXICAN BATTLE

Huerta Forces Thought to Have
Advantage at Ortiz.

Douglas, Ariz., June 20.—From behind houses and walls and from roofs, the forces of General Ojeda and the Constitutional leader, Obregon, have been battling in the town of Ortiz, forty-five miles north of Guaymas, for two days. Conflicting reports have reached here, but it is believed the advantage lies with the federals, although they number only 4,000, against 5,000 Constitutionalists.

Federal agents say Ojeda took the aggressive and fell upon Obregon, who was in line of battle at Ortiz, yesterday morning. To-day it was declared the fighting was renewed at close quarters in the streets of the town, and the federals forced the rebels to break and retreat toward Hermosillo.

Mexico City, June 20.—Fifty million dollars of the Mexican government loan may not be available for six months, according to the Minister of Finance, who said to-day that \$20,000,000 would be at the disposition of the government after June 25 and the remainder in two options of six months each.

ABDUCTORS GET 25 YEARS.

Salem, Ill., June 20.—Frank Sullens and Ernest Harrison were found guilty here to-day of kidnapping Dorothy Holt last March. The jury fixed the penalty of each at twenty-five years in the penitentiary.

AVIATION'S FIRST FATALITY IN NAVY

Ensign W. D. Billingsley Falls
1,600 Feet from Hydro-
aeroplane Into Chesapeake Bay.

COMPANION'S LIFE SAVED

Lieutenant John H. Towers,
Chief of Camp, Clings Desperately to the Plunging
Wreck and Is Rescued
by Motor Boat.

Annapolis, Md., June 20.—The navy added its first victim to the death roll of aviation to-day when Ensign William D. Billingsley was hurled from a disabled biplane 1,600 feet in the air, and fell straight as a plummet into the depths of Chesapeake Bay.

Lieutenant John H. Towers, chief of the aviation camp, clung to the wrecked frame that followed Billingsley's descent from sky to water, and almost miraculously escaped death.

Ensign Billingsley, in a biplane that had been converted into a hydro-aeroplane by the addition of pontoons, with Lieutenant Towers as a passenger, left the aviation grounds at the Naval Academy here to fly to Claiborne, some eighteen miles across the bay. About ten miles down the bay a gust struck the fragile machine and the ensign was thrown forward across the steering gear, which was disabled.

The front planes of the craft fell, and it swiftly gravitated, like a dead bird, toward the blue expanse of water 1,600 feet below. As it dropped, the pilot was catapulted out. Turning over and over, Billingsley's body outsped the disabled machine in its descent and sank deep into the bay.

Arm All but Wrenched Off.

When the aeroplane crumpled Lieutenant Towers clung desperately to one of the uprights between the planes. At times his body swung clear of the rapidly falling airship, but he maintained his hold, although hand and arm were almost wrenched apart. After falling about 900 feet the biplane turned a complete somersault and for a moment the velocity of its descent was broken.

An instant later it struck the bay and carried Lieutenant Towers beneath the water. It rose to the surface, however, almost immediately. Lieutenant Towers, suffering excruciating agony, feared that he would lose consciousness before he could be rescued, and, tearing loose the lashings of one of the planes, bound himself fast to a pontoon. He was taken off by D. W. Bronson, chief electrician of the aviation camp, and S. Killian, a seaman, who were watching another aeroplane trial from a motor boat detailed on the bay by the navy aviators for use in just such accidents.

At the Naval Academy Hospital Lieutenant Towers, almost in a nervous collapse, his entire body trembling and his head wagging pitifully, told the tragic story of his fall.

"Just before the accident," he said, "I looked at the altitude dial, and it showed that we were running at about 1,625 feet. Just then a gust swept up from below. It struck the rear planes, and the machine lurched violently and

DIES TO SAVE HIS MEN

Foreman of Construction Gang
Hurled 15 Feet by Live Wire.

[By Telegram to The Tribune.]
Elizabeth, N. J., June 20.—While trying to keep a charged wire away from a steel beam to prevent injury to his men, Frank Allen, fifty years old, a foreman for the Steward Brant Construction Company, who lived in Philadelphia, was killed at Rahway to-day.

A total of 13,000 volts passed through his body. Allen used a broken stick to move the wire, believing it would be a non-conductor. He was hurled fifteen feet by the shock.

SIDE BY SIDE IN DEATH

Veteran and Wife Asphyxiated—
Adopted Child Is Revived.

James Cresley, a Civil War veteran, eighty years old, and his wife, seventy years, died of asphyxiation in their apartment at No. 24 Ainslie street, Williamsburg, yesterday afternoon, while a three-year-old child whom they had taken to live with them survived. She was cowering and playing happily in a cot at the Williamsburg Hospital last night.

The odor of gas attracted neighbors to the Cresley flat, where they found the old man and old woman stretched side by side on the kitchen floor. A window was partly open, and in the next room on the bed lay the child, unconscious, but breathing faintly. An ambulance surgeon soon revived the youngster, but the old couple failed to respond.

The police, who were busy last night trying to find two grandchildren of the Cresleys, believe that the death of the aged couple was accidental.

GIVES AWAY \$2,000 LEGACY

Wants Only Money He Earns,
Says Brother's Heir.

Benjamin Flusser, a Newark merchant, who inherited \$2,000 from the estate of his brother, Max Flusser, who died more than a year ago, yesterday declined to accept the legacy for his own use. Half of it he has allotted to charitable institutions and the other half he is going to give to relatives.

In explanation Mr. Flusser last night said: "I want to earn with my ten fingers any money I get. I don't want anybody else's money, and for that reason I am giving the legacy away."

There had never been a break in the friendship of the brothers, so far as their friends know.

SHE'LL GUARD MT. VERNON

Mrs. Wood, Former Fly Swatter,
Takes "on the Force."

The city of Mount Vernon has followed the example of Newport by appointing Mrs. James S. Wood, leader of the anti-suffragette party there, as a special police officer. The appointment was made by Police Commissioner Connor at the request of Mrs. Wood. Mayor Edwin W. Fiske said there was plenty for her to do looking after the health of children and cases of cruelty to animals.

Mrs. Wood is past state regent of the Grand Army of the Republic. For several years she was president of the Westchester County Woman's Club and chairman of the committee on the fly extermination campaign. She is the wife of a Mount Vernon lawyer who is fighting the New York, New Haven & Hartford Railroad for lower commutation rates.

LIGHTNING BOLT HITS LA FRANCE

Great French Liner's 900
Steerage Passengers Thrown
Into Panic When Foremast
Is Struck at Quarantine.

FLAME COVERS THE VESSEL

Six Sailors Stunned, but None
Badly Hurt—Flash Envelops
Woolworth Tower and Fire-
men Rush to 54th Floor
—Storm Damage Large.

The storm that swept over the city last night did a great deal of damage, both ashore and at sea. Houses were struck by lightning bolts, cellars were flooded, sidewalks caved in, subways inundated, trolley cars and electric street lamps put out of commission, and shipping in the harbor was hard beset by the fierce bursts of wind, rain and hail.

One of the most sensational features of the storm was the striking of the big steel foremast of the French Line steamer La France by lightning just as the big ship was entering Quarantine. Nine hundred steerage passengers, huddled below decks forward, were thrown into a panic by the glare and shock, and it was several minutes before the officers could bring them to understand their lives were not in danger.

La France was proceeding slowly up the Bay from Quarantine, feeling her way through the murk, when a bolt flashed directly across her bows, striking the foremast near the top. A tongue of blue flame ran down the mast and along the deck.

Six Sailors Are Stunned.
On the forward deck were six sailors, under command of Joseph Feutren, chief master at arms. They were all stunned by the bolt, but none was seriously injured. The bolt continued below decks, running to the base of the mast and sending showers of sparks among the men and women huddled together.

At once a panic ensued, with the immigrants all making efforts to escape to the upper deck. Among the saloon passengers there was much excitement, many thinking the big steamer had been in collision with another ship.

The officers sent stewards through all parts of the boat, and themselves went about assuring all on board that there was no danger. By the time La France reached her pier the fears of a majority had been allayed.

Had it not been that the heavy rain had soaked the woodwork, it is said the steamer might have caught fire.

Coney Island, New Jersey, Queens and the upper part of Harlem and The Bronx, were the worst sufferers from the storm. Half a dozen buildings were struck by lightning and burned. Yachts and small boats in all the harbors, rivers and bays about New York were dragged from their moorings by the heavy seas and washed to shore. No one was killed, according to latest reports.

Many Shocked by Lightning.

Reports from the districts affected say that while the momentary damage was heavy no one was killed, although many persons received shocks when lightning struck buildings and trolley cars. It was the heaviest downpour of

HARVARD OARSMEN WIN THREE RACES

Crimson Shells Show Way to
Yale in 'Varsity Eight and
Minor Struggles at
Annual Regatta.

BIG CONTEST A RUNAWAY

New Haven Watermen Rowed
Out After Two Miles, but Dis-
play Form That Justifies
English Coaches—Great
Crowd at New London.

New London, Conn., June 20.—Harvard swept the river clean in its annual boat races with Yale on the Thames here to-day, and left no consolation at all for the Blue. In fact, the Crimson rubbed it in, a band of overjoyed Harvard men parading the streets of the town with brooms this afternoon after the Crimson 'varsity boat had swept across the line a winner by more than ten lengths over the Yale eight. Harvard's time was 21:42 and Yale's 22:20.

Harvard began the day right by winning both the 'varsity four and the freshman eight oared races, although in the latter the Crimson found itself matched against a crew that would not admit defeat until the last furlong had been rowed.

The four-oared race was easy for the Cambridge oarsmen, the Harvard shell slipping across the line fully seven lengths ahead of the Yale four, which had a hard time to keep together in the last grueling spurt.

Although the Crimson victory in the 'varsity race was not wholly unexpected, the wonderful showing of the Harvard eight against the Blue was impressive.

Despite its one-sided aspect, at the end the race was more of a contest than was realized by those who saw only the last two miles, when Harvard was rowing away from the Blue. Yale had a real crew for the first mile and fought back at the Crimson with real spirit, stroke for stroke. For more than half a mile the Yale crew led, and the happiness of the Yale crowds knew no bounds. Then the Crimson began to raise the stroke notch by notch until the stems of the two boats were on even terms.

Real Fight in First Mile.

For that first mile the Blue was in the race every minute, and not once through the entire four miles did a single man in the Eli boat falter or show by any sign that he was not doing his best. After the first mile Yale dropped its stroke down bit by bit, and could not maintain the pace set by the Crimson. It was not a case of the Yale eight being weak, but simply a case of the Harvard boat being too fast.

Yale rowed its race in the first mile; indeed, there are some who say to-night that Yale showed its hand too soon; that had the Blue rowed a waiting race and kept in reserve the energy that went for naught in the first mile the result might have been closer. Harvard rowed the same unvarying stroke that has brought victory for the last six years, except in the first three-quarters of a mile, when by its unexpected burst of speed Yale forced the Crimson to row its best and fastest.

It was evident that Yale was determined to make the Crimson row the first two miles at top speed and force it under if possible. But the pace the Blues set was too fast, and instead of making Harvard drop back Yale found that it had to drop back itself.

The race in the last three miles was much like the processions that have taken place on the Thames annually since 1907. Only for a few brief moments at the two and a half mile mark did Yale even attempt to do anything but hang on and finish as well as she could. After passing the Navy Yard, Crocker, the plucky Yale stroke, got his crew swinging together behind him and for a couple of dozen strokes the Blue pulled itself out of the slump and went after Harvard again.

Some of the lost ground was regained, a trifle in comparison with the distance separating the two boats, but it showed there was still life in the Yale oars. The rally was short-lived and from the three mile mark to the finish Harvard continued to draw away, shooting across the line under the bridge ten full lengths in the lead.

Clouds Break at the Start.

When the crews paddled over to the starting line, away up in a little cove just opposite the Harvard quarters, the whole scene presented a picture that was inspiring. Heavy rain clouds had overhung the river all day and rain squalls had spoiled the sport for many. But almost as if it had been prearranged the clouds rolled away when the crews took their places at the starting line, and the sun came out clear and hot, bringing out all the beauties of the green hillsides, sloping gently down to the sparkling river. It was a beautiful contrast with the same picture a few hours earlier.

It has not been recorded in the thirty-five years that the Yale and Harvard crews have been rowing at New London that race day dawned as dismal and dreary as it did to-day. Rain fell in heavy showers, but as the morning wore on the sky cleared a little, only to darken again when the early races were rowed.

When the four-oared and freshman contests began it was anything but pleasant, and all the fiery that usually

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